

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

BAUSCH & LOMB INCORPORATED,

Plaintiff,

- vs -

MIMETOGEN PHARMACEUTICALS INC.,

Defendant.

MIMETOGEN PHARMACEUTICALS INC.,

Counterclaimant and  
Third-Party Plaintiff,

- vs -

BAUSCH & LOMB INCORPORATED,

Counterclaim Defendant,

- and -

VALEANT PHARMACEUTICALS  
INTERNATIONAL, INC.,

Third-Party Defendant.

Case No. 14-cv-6640

**NOTICE OF APPEAL**

PLEASE TAKE NOTICE that, in accordance with Rules 3 and 4 of the Federal Rules of Appellate Procedure, Plaintiff and Counterclaim Defendant Bausch & Lomb Incorporated (“B+L”) hereby appeals to the United States Court of Appeals for the Second Circuit from the final judgment entered on March 1, 2018 in the above-captioned action (Docket No. 108) (the “Judgment”), as well as from each and every part of all adverse orders, rulings, judgments, decrees, decisions, findings, and/or conclusions of any kind whatsoever leading, ancillary, or antecedent to the Judgment, including the Court’s Decision and Order dated June 30, 2017

(Docket No. 82), granting Defendant and Counterclaimant and Third-Party Plaintiff

Mimetogen's motion for partial summary judgment and denying the cross-motion for summary judgment filed by B+L and Third-Party Defendant Valeant Pharmaceuticals International, Inc.

Dated: March 30, 2018  
New York, New York

Respectfully submitted,

By: /s/ Joseph M. McLaughlin  
Joseph M. McLaughlin  
Daniel J. Stujenske  
SIMPSON THACHER & BARTLETT LLP  
425 Lexington Avenue  
New York, New York 10017-3954  
Tel.: (212) 455-2000  
jmclaughlin@stblaw.com  
dstujenske@stblaw.com

Carolyn G. Nussbaum  
Eric M. Ferrante  
NIXON PEABODY LLP  
1300 Clinton Square  
Rochester, New York 14604  
Tel.: (585) 263-1000  
cnussbaum@nixonpeabody.com  
eferrante@nixonpeabody.com

*Attorneys for Plaintiff and Counterclaim  
Defendant Bausch & Lomb Incorporated  
and Third-Party Defendant Valeant  
Pharmaceuticals International, Inc.*